

CHAPTER NO. 23

SENATE BILL NO. 1938

By Womack

Substituted for: House Bill No. 1941

By Eckles, Hood, Beavers

AN ACT To amend Chapter 55 of the Private Acts of 1983; and any other acts amendatory thereto, relative to dogs and cats in Rutherford County.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 55 of the Private Acts of 1983, is amended in Section 3 by deleting subsection (b) in its entirety and by substituting instead the following new subsection (b):

(b) Persons operating kennels where dogs or cats are bred for sale shall not be required to pay license fees as set forth elsewhere herein, but in lieu thereof shall pay a license as kennel keepers in an amount determined from time to time from the governing body of Rutherford County.

At the time the license fee is paid there shall be presented to the county trustee, or authorized agent, a certificate of vaccination showing that the dogs or cats kept in the kennel for which license is applied for have been vaccinated as herein provided. At no time shall the number of dogs or cats in the kennel exceed the number covered by the license.

All sums shall be collected by the county trustee annually on or before May 1st or at such times as the kennel shall be open for operation as provided herein.

SECTION 2. Chapter 55 of the Private Acts of 1983, is amended in Section 7 by deleting subsection (g) in its entirety and by substituting instead the following new subsection (g):

(g) If a dog or cat impounded for any reason is not wearing a tag or name collar and is not claimed by the owner within three (3) days from its impoundment, then the dog or cat may be claimed and redeemed by any responsible person without any liability to the owners, or the dog or cat may be destroyed by the county.

SECTION 3. Chapter 55 of the Private Acts of 1983, is amended in Section 16 by deleting the section in its entirety and by substituting instead the following new section:

Section 16. It shall be the duty of the Humane Rabies Animal Control Board to enforce the provisions of this act, to adopt reasonable rules, regulations and procedures to enforce and carry out the purposes of this act, and it shall have the authority to employ or appoint all necessary personnel as may be authorized by the board of county commissioners.

The Humane Rabies Animal Control Board shall, prior to enactment or enforcement, present any currently existing or future proposed rules, regulations or procedures to the public safety committee of the county commission or its successor committee, with the public safety committee's recommendation to be made to the full county commission, which commission shall have the authority to approve or disapprove said rules, regulations and procedures prior to the implementation by the Humane Rabies Animal Control Board.

SECTION 4. Chapter 55 of the Private Acts of 1983, is amended by adding the following as a new Section 20 and renumbering the original Sections 20 through 22 accordingly:

Section 20. Any foundation, agency or other humane organization of whatever type or form receiving money or other forms of funding from Rutherford County shall submit any and all documentation required by Rutherford County prior to the approval of any funding. Such documentation shall be determined by the Rutherford County budget committee or its successor.

SECTION 5. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 6. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Rutherford County. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body of Rutherford County and certified to the Secretary of State.

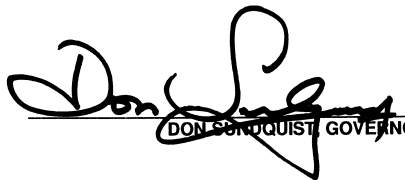
SECTION 7. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 6.

PASSED: April 26, 1999


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 4th day of May 1999


DON CONQUIST, GOVERNOR